

**IN THE UNITED STATE DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
Bluefield Division**

TYLER DWAYNE NEW,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:24-cv-212
	)	
METROPOLITAN LIFE INSURANCE	)	
COMPANY; CLEVELAND-CLIFFS	)	
PRINCETON COAL, INC.; TWIN STATE	)	
MINING, INC.; and XMV, INC.,	)	
	)	
Defendants.	)	

---

**JOINT MOTION TO SUSPEND EXISTING SCHEDULING ORDER**

---

The Parties, by counsel, jointly move the Court to suspend the deadlines reflected in the Court's August 2, 2024 Order (ECF No. 15). On October 1, 2024 (ECF No. 19), the Court directed Plaintiff to file an amended complaint within 14 days. The Parties ask that the Court issue a new Scheduling Order once the amended complaint is filed that sets a date by which Plaintiff may file a motion for extra-record discovery within 30 days of the filing of the amended complaint, and set deadlines for cross-motions for summary judgment approximately 90 days after the filing of the amended complaint.

Respectfully submitted this 7th day of October, 2024.

/s/ Matthew O. Gatewood  
Matthew O. Gatewood  
W.Va. State Bar No. 10044  
**GATEWOOD PLLC**  
1455 Pennsylvania Avenue NW, Suite 400  
Washington, DC 20004  
(202) 464-1441  
[mog@gatewood-law.com](mailto:mog@gatewood-law.com)

*Counsel for Defendants*

/s/ Christopher B. Frost  
Stephen P. New (WVSB #7756)  
Christopher B. Frost (WVSB #9411)  
**Stephen New & Associates**  
430 Harper Park Drive  
PO Box 5516  
Beckley, WV 25801  
T: (304) 250-6017  
F: (304) 250-6012

*Counsel for Plaintiff*